

REMARKS

Applicants and Applicants' attorney express appreciation to the Examiner for the courtesies extended during the recent interview held on November 17, 2004. The amendments and arguments presented in this paper are consistent with the proposed amendments and arguments discussed during the Interview.

Claims 1-39 and 41-44 are pending, of which claims 1 and 27 are independent method claims with corresponding computer program product claims 41 and 43.

The Office Action objected to claims 22-23 because claim 22 recited "transferringa" rather than "transferring a" in the preamble. Applicants have amended claim 22 to correct this informality as indicated above.

The Office Action rejected claims 1-44 under 35 U.S.C. § 112, second paragraph, as being indefinite because each of the independent claims recited "may" in the preamble. Line 19 of claim 1 also recited "the current state" for which there is insufficient antecedent basis. As indicated above, Applicants have amended each of the currently pending independent claims (1, 27, 41, and 43) to remove "may" from the preamble and have removed "the current state" from claim 1.

The Office Action rejected each of the pending independent claims (1, 27, 41, and 43) under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication No. 2003/0046365 by Pfister et al. ("Pfister") in view of U.S. Publication No. 2004/0015476 to Twaddle ("Twaddle"); and rejected each of the remaining dependent claims under 35 U.S.C. § 103(a) as being unpatentable over *Pfister* in view of *Twaddle* and/or U.S. Publication No. 2003/0061106 by Orhomuru ("Orhomuru").¹

Applicants' invention, as claimed for example in independent method claim 1 relates to customizing arrangement of content displayed on a display device of a mobile computing device. The method includes creating a template file at a network computing device, which represents a layout for displaying content at the mobile computing device that is updated automatically and without user intervention, by (i) generating static content and layout information corresponding to the static content; (ii) generating one or more references to dynamic content and layout

¹Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to do so in the future. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status or asserted teachings of the cited art.

information corresponding to the one or more references to dynamic content, the dynamic content changing over time; and (iii) including the static content, the one or more references to the dynamic content, as well as corresponding layout information in the template file; generating computer-executable instructions for substituting, at the mobile computing device, the dynamic content for the one or more references to the dynamic content included in the template file; and transferring the template file and the computer-executable instructions to the mobile computing device in order to customize arrangement of the dynamic content at the mobile computing device. Independent claim 41 recites similar limitations from the perspective of a computer program product.

Applicants' invention, as claimed for example in independent method claim 27 relates to displaying a customized arrangement of content at a mobile computing device. The method includes receiving, from a network computing device, a template file that includes static content, one or more references to dynamic content, as well as corresponding layout information for the static and dynamic content; receiving, from the network computing device, computer-executable instructions for substituting the dynamic content for the one or more references to the dynamic content included in the template file; receiving a notification that dynamic content referenced by at least one of the one or more references to the dynamic content has changed; and executing computer-executable instructions, at the mobile computing device, to substitute the changed dynamic content for the at least one of the one or more references to the dynamic content, based on the notification that the dynamic content referenced by the at least one of the one or more references to the dynamic content has changed. Independent claim 43 recites similar limitations from the perspective of a computer program product.

In order to establish a *prima facie* case of obviousness, "the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP § 2143 (emphasis added). During examination, the pending claims are given their broadest reasonable interpretation, i.e., they are interpreted as broadly as their terms reasonably allow, consistent with the specification. MPEP §§ 2111 & 2111.01. Applicants respectfully submit, however, that for at least the reasons stated below *Pfister* and *Twaddle* fail to teach or suggest all the claim limitations of independent claims 1, 27, 41, and 43.

Pfister discloses a system and method of caching that identifies content for caching according to characteristics of the content. ¶ [0021]. For example, when downloading data from

a web page, often a large percentage of the data is relatively static in nature. ¶ [0019]. However, each time a page is downloaded, all data from the page is usually downloaded, including information that has not changed since the last download, since caching is based on the date stamp of the page. *Id.* Accordingly *Pfister* discloses, for example, using a unique identifier to identify static content within a web page that changes infrequently and therefore may be cached and retrieved from the cache even though other parts of the web page have changed in some way. ¶ [0059]. As a result, only non-static portions of the web page require downloading when a user has cached the static portions. ¶ [0060].

Twaddle discloses a portal website to service user requests for access to web pages on a web server. ¶ [0048]; Figure 1. The web server interfaces with a portal page builder module to dynamically build user specific web pages in response to a request from the user. *Id.* The portal page builder retrieves a pre-created user template specific to a particular user retrieves personal user-specific data from a back-end system or other content provider. *Id.* The page builder parses the user template to determine the content to be merged into the template and an application server retrieves the content. ¶ [0049]. The application server passes the content back to the portal page builder which compiles the received content to create the user web page. *Id.* Once the portal page builder has compiled the web page source code, the source code is passed to the web server for transmission to the user, who displays the source coding using a standard web browser. ¶ [0051].

Among other things, however, *Pfister* and *Twaddle* fail to teach, suggest, or motivate creating a template file at a network computing device, which represents a layout for displaying content at the mobile computing device that is updated automatically and without user intervention, and transferring the template file and the computer-executable instructions to the mobile computing device in order to customize arrangement of the dynamic content at the mobile computer device, as recited in independent claims 1 and 41, and *Pfister* and *Twaddle* fail to teach, suggest, or motivate receiving, from a network computing device, a template file that includes static content, one or more references to dynamic content, as well as corresponding layout information for the static and dynamic content; receiving, from the network computing device, computer-executable instructions for substituting the dynamic content for the one or more references to the dynamic content included in the template file; and executing computer-executable instructions, at the mobile computing device, to substitute the dynamic content for the

at least one of the one or more references to the dynamic content, as recited in independent claims 27 and 43.

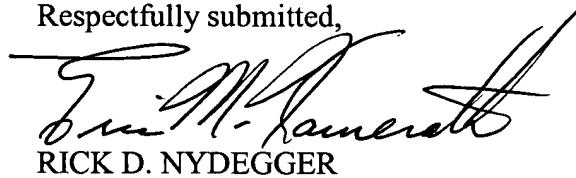
During the Interview, the Examiner seemed to concur with this analysis and noted that the proposed amendment to more closely align the independent claims with Figure 1B appears to advance the prosecution of the case and is subject to further search and/or consideration.

Based on at least the foregoing reasons, Applicants respectfully submit that the cited prior art fails to anticipate or make obvious Applicants invention, as claimed for example, in independent claims 1, 27, 41, and 43. Applicants note for the record that the remarks above render the remaining rejections of record for the independent and dependent claims moot, and thus addressing individual rejections or assertion with respect to the teachings of the cited art is unnecessary at the present time, but may be undertaken in the future if necessary or desirable, and Applicants reserve the right to do so.

In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 21st day of January, 2005.

Respectfully submitted,



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